indebtedness or any deficiency in full payment of that indebtedness: and

"(c) The district courts have original jurisdiction of a civil action brought under subsection (b) (1) or (2) of this section. However, for a documented vessel, a vessel to be documented under chapter 121 of this title, or a foreign vessel, this jurisdiction is exclusive of the courts of the States for a civil action brought under subsection (b)(1) of this section."

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(5) Section 31341(a)(3) is amended by striking "mangement" and inserting "management".

(6) Section 31342 is amended—

(A) by striking "A person providing necessaries to a vessel (except a public vessel) on the order of a person listed in section 31341 of this title" and inserting "(a) Except as provided in subsection (b) of this section, a person providing necessaries to a vessel on the order of the owner"; and

(B)by adding the following new subsection (b) at the end:

"(b) This section does not apply to a public vessel.".

SEC. 304. AMENDMENTS TO THE SHIPPING ACT, 1916.

(a)EXEMPTION FROM REQUIREMENT OP APPROVAL BY SECRETARY.—Section 9 of the Shipping Act, 1916 (46 App. U.S.C. 808), is amended in subsection (c)(l) by inserting "or the last documentation of which was under the laws of the United States" before the semicolon at the end;

(7) in subsection (c)(2) by inserting ", or a vessel the last documentation of which was under the laws of the United States," after "a documented vessel":

(8) in subsection (d) (1) and (2), by striking "or control in" and inserting "in or control of; and

(9) adding the following new paragraph:

"(4) A person that charters, sells, transfers, or mortgages a vessel, or an interest in or control of a vessel, in violation of this section is liable to the United States Government for a civil penalty of not more than $10,000 for each violation.".

(b) REMISSION OF FORFEITURE.—Section 38 of the Shipping Act, 1916 (46 App. U.S.C. 836) is amended by striking "duties* and inserting "duties, except that forfeitures may be remitted without seizure of the vessel.".

SEC. 305. CIVIL PENALTY PROCEDURES.

Chapter 3 of title 49, United States Code, is amended—

(1) by adding at the end of subchapter II the

following new section:

"§ 336. Civil penalty procedures

"(a) After notice and an opportunity for a hearing, a person found by the Secretary of Transportation to have violated a provision of law that the Secretary carries out through the Maritime Administrator or the Commandant of the Coast Guard or a regulation prescribed under that law by the Secretary for which a civil penalty is provided, is liable to the United States Government for the civil penalty provided. The amount of the civil penalty shall be assessed by the Secretary by written notice. In determining the amount of the penalty, the Secretary shall consider the nature, circumstances, extent, and gravity of the prohibited acts committed and, with